

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Larry G. Ballard,  
142 Manchester Road  
Charleston, SC 29407

SCDOI File Number 124398

**Default Order Revoking  
ALL LICENSING PRIVILEGES**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (2004), by the State of South Carolina Department of Insurance upon Larry G. Ballard, dba, AAAA Bonding Company & AAAA Bonding Hispano, by both certified mail, return receipt requested, and by regular mail on March 7, 2005.

That letter informed the above named respondent of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a surety bail bondsman within the State of South Carolina. Despite that warning, Mr. Ballard failed to respond to the Department's letter. On May 16, 2005, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a surety bail bondsman within the State of South Carolina, Larry Ballard failed to pay at least 17 Bond Forfeitures to Charleston County Municipal Court for a total of \$15,632 dollars.

Section 38-53-150 of the South Carolina Code of Administrative Laws provides the Director or his designee "may revoke or suspend all licensing privileges after ten days notice when it appears that a surety bail bondsman or agency has violated this title or any regulation promulgated by the department." This Code Section goes on within Subsection (A)(9) to address the failure to pay any judgment or decree rendered on any forfeited undertaking in any Court of competent jurisdiction." Moreover, § 38-53-150 (A) (8) clearly stipulates "when in the judgment of the director or his designee, the licensee has in the conduct of his affairs under the license demonstrated incompetence or untrustworthiness, that he is no longer in good faith carrying on the bail bonds business."

In accordance with my findings of fact, and considering respondent's failure to repay the owed Bond Forfeitures to the Charleston Municipal Court, or to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that he violated S.C.

Code Ann. § 38-53-150 (Supp. 2004) and that all his licensing privileges, as well as those of his business, should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's, *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2004). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(3)(2004), of the Director of Insurance, exercised either directly or through the Department of Insurance, to 'report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report.'

It is, therefore, ordered that the licensing privileges of Larry G. Ballard, dba, AAAA Bonding Company, AAAA Bonding Hispano, to do business as resident surety bail bondsman within the State of South Carolina, be, and are hereby, revoked, and that no license issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which the respondent is currently licensed, through the State of South Carolina Department of Insurance, as resident surety bail bondsman within the State of South Carolina.

This order becomes effective as of the date of my signature below.

  
Eleanor Kitzman  
Director

May 16, 2005, at  
Columbia, South Carolina

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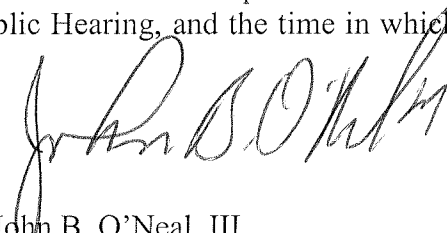
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**Affidavit of Default**

Personally appeared before me John B. O'Neal, III who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

The Department served notice on the above-named respondent, at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke his license to act as a resident insurance producer within the State of South Carolina in thirty days. The Department served the Notice, pursuant to S.C. Code Ann. § 38-3-170 (Supp. 2004), by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That Notice further informed respondent of his opportunity, within thirty days, to request in writing a public hearing, by notifying the Administrative Law Court and payment of the corresponding filing fee.

The United States Postal Service delivered the Department's Notice by certified mail, return receipt requested, and by regular mail, on several occasions, starting on March 7, of the current year, and we received our Return Receipt Cards signed by respondent. Larry Ballard failed to comply with our instructions to pay Charleston Municipal Court for 17 Bond Forfeitures, has not made a written request for a Public Hearing, and the time in which to do so has expired. He is now in default.

  
John B. O'Neal, III  
Associate General Counsel

Sworn to and subscribed before me  
This 16 day of May, 2005.

  
Steven R. DuBois

Notary Public for the State of South Carolina  
My Commission Expires May 10, 2009

South Carolina Department of Insurance  
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